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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,938	01/03/2002	Norbert Hoffmann	6311-043	7602
21890	7590	03/24/2006	EXAMINER	
PROSKAUER ROSE LLP PATENT DEPARTMENT 1585 BROADWAY NEW YORK, NY 10036-8299			DAS, CHAMELI	
			ART UNIT	PAPER NUMBER
			2192	

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/037,938

Applicant(s)

HOFFMANN ET AL.

Examiner

CHAMELI C. DAS

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/13/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-31 are pending.

#### ***Specification***

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (page 10, line 2 and line 20). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

3. The use of the trademark "Java" has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

#### ***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on 8/13/02. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Drawings***

5. The drawings filed on 1/3/02 have been accepted by the Examiner.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11, 13-26 and 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Underwood, US 6,601,233.

***As per claim 1, Underwood,(Us 6,601,233) discloses:***

- a method for developing an application (abstract)
- selecting one of a plurality of patterns, each of said plurality of patterns having at least one of a plurality of business artifacts (Abstract, col 2 lines 5-34)
- designing an application ... plurality of patterns (col 2 lines 15-34, col 10 lines 3-8, col 14 line 15-27)
- generating code based on ... business artifacts (abstract)
- interfacing said code ... platform independent service (col 16 lines 39-65, col 14 lines 38-57).

***For claim 2,*** workflow application (col 33 lines 38-40), service request (col 25 lines 2-5), web-based application (col 5 lines 45-46, col 5 lines 62-64, col 16 lines 18-24), a reporting pattern (col 6 lines 64-65, col 9 lines 32-35).

***For claim 3***, plurality of business artifacts (abstract), process business artifacts (col 2 lines 30-34), activity business artifacts (col 3 lines 45-50), and user interface business artifacts (col 3 lines 65-66), business object (col 11 lines 45-56), data business (col 5 lines 19-22).

***For claim 4***, (col 33 lines 38-40, abstract, col 2 lines 30-34, col 3 lines 45-50, col 11 lines 45-56, col 5 lines 19-22).

***For claim 5***, (col 25 lines 2-5, abstract, col 3 lines 45-50, col 11 lines 45-56, col 5 lines 19-22).

***For claim 6***, (col 5 lines 45-46, col 5 lines 62-64, col 16 lines 18-24).

***For claim 7***, (col 6 lines 64-65, col 9 lines 32-35).

***For claim 8*** (col 16 lines 39-65, col 14 lines 38-57).

***For claim 9***, (col 33 lines 38-40, col 3 lines 65-66, col 11 lines 45-56, col 9, lines 6-9).

***For claim 10***, (col 51, lines 34-65, col 52 lines 1-15).

***For claim 11***, (col 30, 37-44), where the activity framework supports both Java (platform-independent) and business activity component written in C++ (platform specific).

***For claim 13***, (col 33 lines 38-40).

***For claim 14***, changing at least one of said plurality of business artifact (col 21 line 15-20), where " updating the business data" clearly indicates changing business artifact as claimed and regenerating code on said at least one of said plurality of business artifacts (col 20 lines 14-25).

***For claim 15***(col 17 lines 34-38).

**Claims 16-26 and 28-30** are the system claim corresponding to the method claims 1-11, and 13-15 respectively and rejected for the same reason set forth in connection of the rejection of claims 1-11 and 13-15.

**Claim 31** is rejected for the same reason set forth in connection of the rejection of claims 1.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underwood, US 6,601,233 and further in view of the official notice taken by the Examiner.

**As per claim 12**, Underwood discloses adapters and NT adapter (col 11 lines 25-34) and SunMicro system. Underwood does not specifically disclose Solaris and S390 adapter. However, official notice is taken for Solaris and S390 adapter. The modification would be obvious because one of the ordinary skill in the art would be motivated to select different kinds of adapter to interface platform independent service with a platform specific service to create flexible environment.

**Claim 27** is the system claim corresponding to the method claims 12 and rejected for the same reason set forth in connection of the rejection of claim 12.

***Conclusion***

8. The prior art made or record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: System, method and article of manufacture for an activity framework design in an e-commerce based environment, US 6718535 B1.

TITLE: System method and article of manufacture for building, managing, and supporting various components of a system, US 6957186 B1

TITLE: Business components framework, US 6601233 B1

TITLE: Building techniques in a development architecture framework, US 6405364 B1

TITLE: Enterprise workflow screen based navigational process tool system and method, US 6990636 B2

TITLE: Service mapping method of enterprise application modeling and development for multi-tier service environments, US 6968535 B2

TITLE: Building business objects and business software applications using dynamic object definitions of ingrediential objects, US 6789252 B1

TITLE: System, method and article of manufacture for a persistent state and persistent object separator in an information services patterns environment, US 6442748 B1

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 571-272-3696.

The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Tuan Dam can be reached at 571-272-3695. The fax number for this group is (571) 273-8300.

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 571-272-2100.

*Chameli C. Das*  
**CHAMELI C. DAS**  
**PRIMARY EXAMINER**

*3/16/06*